

THE AXIS UNIVERSITY UTTAR PRADESH ACT, 2011

(U.P. Act no. 13 of 2011)

[As passed by Uttar Pradesh Legislature and assented to by the Governor on April 4, 2011 and published in *Gazette* extra ordinary on April 6, 2011.]

AN

ACT

to establish and incorporate a teaching University sponsored by Axis Educational Society, Kanpur at Rooma, Kanpur Nagar and to provide for matters connected therewith or incidental thereto.

IT IS HEREBY enacted in the Sixty-second Year of the Republic of India as follows:—

Short title

1. This Act may be called the Axis University Uttar Pradesh Act, 2011.

Definitions

2. In this Act, unless the context otherwise requires,—

(a) "Academic Council" means the Academic Council of the University;

(b) "Board" means the Board of Studies or the Planning Board, or any other Board of the University;

(c) "Chancellor", "Pro-Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" means respectively the Chancellor, the "Pro-Chancellor" the Vice-Chancellor the Pro-Vice-Chancellor of the University;

(d) "Court" means the Court of the University;

(e) "Director/Principal" means the Head of an Institution, a College, a Centre and a School, or the person appointed for the purpose to act as such in his absence;

(f) "Department" means a Department of Studies and includes a Centre of Studies and Research;

(g) "Employee" means any person appointed by the University, and includes a teacher or any other member of the staff of the University;

(h) "Executive Council" means the Executive Council of the University;

(i) "Existing College" means a College or an Institution which imparts professional education and is proposed to be merged, run and maintained by the University;

(j) "Faculty" means a Faculty of the University;

(k) "Hostel" means Scholar/Students Hostel of the University;

(l) "Institution/College" means a college including existing College or an Institution established or maintained by or associated or constituent to the University in accordance with this Act and the Statutes;

(m) "Prescribed" means prescribed by Statutes;

(n) "Records and Publication" means the Records and Publication of the University;

(o) "Society" means Axis Educational Society, 117/N/88, Kakadeo, Kanpur, registered under the Societies Registration Act, 1860 on 23-10-2008 with Sub-Registrar office of Kanpur;

(p) "Statutes" and "Ordinances" means respectively, the Statutes and the Ordinance of the University for the time being in force;

	<p>(q) "Student" means a student enrolled in the register of the University;</p> <p>(r) "Teacher of the University" means Professors, Associate Professors, Readers, Assistant Professor, Lecturers and such other persons as may be appointed for imparting education/instructions of conducting research in the University and are designated as Teachers by the Ordinances;</p> <p>(s) "Treasurer", "Registrar", "Deputy Registrar", "Finance Officer", "Controller of Examinations", "Librarian" or "Proctor" means respectively the Treasurer, the Registrar, the Deputy Registrar, the Finance Officer, the Controller of Examination, the Librarian or the Proctor of the University;</p> <p>(t) "University" means the Axis University, Uttar Pradesh established under section 3.</p>
Establishment of the University	<p>3. (1) There shall be established at Rooma, Kanpur Nagar, Uttar Pradesh a University by the Society by the name of the Axis University Uttar Pradesh.</p> <p>(2) The University shall be a body corporate.</p>
Conditions for the establishment of the University	<p>4. The sponsoring body, the Society shall, for the purposes of establishing the University under this Act, fulfil the following conditions, namely :-</p> <p>(a) duly possesses minimum 50 acres contiguous land earmarked for the University;</p> <p>(b) construct on land referred to in clause (a) buildings of at least 24000 sq. metre carpet areas, out of which at least 50 per cent shall be for academic and administrative purposes;</p> <p>(c) install equipments in offices and laboratories worth minimum Rs. Five crore in the building referred to in clause (b);</p> <p>(d) appoint teachers and establish infrastructure of the department/ school for the purposes of teaching and/or research in at least seven subjects as per standards laid down by the University Grants Commission;</p> <p>(e) make the Statutes and the Ordinance for the administration and functioning of the University;</p> <p>(f) such other conditions as may be required by the State Government to be fulfilled before the establishment of the University.</p>
Starting of the University	<p>5. (1) The University shall start operation only after the State Government issues to the Society a letter of authorization for the commencement of the functioning of the University.</p> <p>(2) The State Government shall issue the letter of authorization after receipt of an unambiguous affidavit along with documents from the Society to the effect that all conditions referred to in section 4 have been fulfilled.</p>
Objects of the University	<p>6. The objects of the University shall be to disseminate and advance knowledge and skill by providing instructional, research and extension of facilities in such branches of learning as it may deem fit and the University shall endeavour to provide to students and teachers the necessary atmosphere and facilities for the promotion of:-</p> <p>(a) innovations in education leading to restructuring of courses, new methods of teaching, training and learning including on-line learning, blended learning continuing education and such other modes and integrated and wholesome development of personality;</p>

**Powers of
University**

- (b) studies in various disciplines;
- (c) inter disciplinary studies;
- (d) national intimation, secularism, social equity and engineering of international understanding and ethics.

7. The University shall have the following powers, namely:-

(a) to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provisions for research and for the advancement and dissemination and application of knowledge and skills;

(b) to impart and promote the study of science, engineering and technology, Bio and Medical Sciences, Dental Science, Pharmacy, Management, Hotel and Hospitality Management, Law and other Professional courses and also History, Culture, Commerce, Economics, Humanities, Philosophy, Art etc. through in-campus off-campus offshore-campus and satellite centres or by conducting centres or by distant educational programmes etc.

(c) to honor educational stalwarts and persons of academic eminence with the decoration of professor Emeritus;

(d) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees or other academic distinctions on the basis of examinations, evaluation or any other method of testing on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(e) to confer honorary degrees or other distinctions in the manner prescribed;

(f) to provide education and training including correspondence and such other courses, to such persons who are not members of the University, as it may determine;

(g) to institute Directorships, Principalships, Professorships, Associate Professorships, Readership, Assistant Professorships, Lectureships and other teaching or academic posts required by the University and to make appointments for the same;

(h) to create administrative, ministerial and other posts and to make appointments thereto;

(i) to appoint/engage persons of eminence working in any other University or Organization permanently or for a specified period;

(j) to co-operate, collaborate or associate with any other University or Authority or Institution in India and abroad in such manner and for such purpose as the University may determine;

(k) to establish and maintain schools, centres, specialized laboratories or other units for research and instructions as are in the opinion of the University, necessary for the furtherance of its objects;

(l) to institute and award fellowships, scholarships, studentships, medals and prizes;

(m) to establish and maintain and supervise residences, hostels within the University and promote the health and general welfare activities for students and staff;

(n) to make provisions for research and consultancy, and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;

(o) to declare centre, an institution, a department, or school, as the case may be, in accordance with the Statutes;

(p) to determine standards for admission into the University, which may include examination, evaluation or any other method of testing;

(q) to prescribe, demand and receive payment of fees and other charges;

(r) to make special arrangement in respect of women and other disadvantaged students as the University may consider desirable;

(s) to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regard as may be deemed necessary by the University,

(t) to make arrangements for promoting the health and general welfare of the employees of the University;

(u) to receive donations and to acquire, hold, manage and dispose through sale lease rent of any property, movable or immovable for the welfare of the University;

(v) to borrow, by way hypothecation or mortgage against the property of the University, with the approval of the Society;

(w) to appoint either on contract or otherwise, visiting professors, emeritus professors, consultants, fellows, scholars, artists, course writers and such other persons who may contribute to the advancement of the objects of the University;

(x) to organize and to undertake extra-mural studies and extension service;

(y) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

**Admission
and
Standards**

8. (1) Admission to the different academic programmes shall be made in accordance with the laws for the time being in force.

(2) The University shall ensure that the academic standards of the courses offered by the University are in accordance with the guidelines of the University Grants Commission and other statutory bodies as the case may be.

(3) The teacher-student ratio shall be in accordance with the guidelines of the University Grants Commission and specific council.

**University
open to all
classes and
creeds**

9. The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief profession in order to entitle him to be admitted therein as an officer, a teacher, staff member, student, or to hold any office therein or to graduate thereat:

Provided that reservation in the posts and recruitment of the employees and reservation of seats for admission in any course of study in the University for the students and persons belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes of citizens shall be regulated by the order of the State Government issued from time to time.

Officers of the University

10. The following shall be the officers of the University:-

- (a) the Chancellor;
- (b) the Pro-Chancellor;
- (c) the Vice-Chancellor;
- (d) the Pro-Vice-Chancellor;
- (e) the Director/Principal;
- (f) the Registrar;
- (g) the Dean of Faculty;
- (h) the Dean of Students Welfare;
- (i) the Controller of Examinations;
- (j) the Chief Proctor;
- (k) the Treasurer;
- (l) the Finance Officer; and
- (m) such other officers as may be declared by the Statutes to be the officers of the University;

The Chancellor

11. (1) The Chancellor shall be appointed by the Management Committee of the Society for a period of three years.

(2) The Chancellor shall by virtue of his office, be the Head of the University and shall constitute interim Executive Council.

(3) The Chancellor may in writing under his hand addressed to the Society resign his office.

The Pro-Chancellor

12. (1) The Pro-Chancellor shall be appointed by the Management Committee of the Society for a period of three years.

(2) The Pro-Chancellor shall assist the Chancellor in discharging his duties and preside at the convocation in his absence.

(3) The Pro-Chancellor may in writing under his hand addressed to the Chancellor resign his office.

The Vice-Chancellor

13. (1) The Vice-Chancellor shall be appointed by the Chancellor in such manner as may be prescribed, for a period of three years.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall be the Chairman of the Academic Council and Planning Board of the University, and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University;

(3) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall convey to such authority the action taken by him on such matters:

Provided that any authority or any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section may prefer an appeal to the Chancellor within one month from the date of communication of the order. The Chancellor may confirm, modify or reverse action taken by the Vice-Chancellor.

(4) The Vice-Chancellor shall exercise such powers and perform such other functions as may be prescribed.

The Pro-Vice-Chancellor

14. (1) The Pro-Vice-Chancellor shall be appointed by the Vice-Chancellor in such manner and shall exercise such powers and perform such functions as may be prescribed.

(2) The Pro-vice-Chancellor appointed under sub-section (1) shall discharge his duties in addition to his duties as a professor.

(3) The Pro-Vice-Chancellor shall assist the Vice-Chancellor in discharging day to day duties as and when required by the Vice-Chancellor.

(4) The Pro-Vice-Chancellor shall get an honorarium of such amount as may be determined by the Society.

**Director/
Principal**

15. The Director/Principal shall be appointed in such manner and shall exercise such powers and perform such functions as may be prescribed.

The Registrar

16. (1) The Registrar shall be appointed in such manner as may be prescribed.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other functions as may be prescribed.

(3) The Registrar shall be the *ex-officio* Secretary of the Executive Council and the Academic Council.

Dean of Faculty

17. Every Dean shall be appointed in such manner and shall exercise such powers and perform such functions as may be prescribed.

The Treasurer

18. The Treasurer shall be appointed in such manner and shall exercise such powers and perform such function as may be prescribed.

Finance Officer

19. (1) The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such functions as may be prescribed.

(2) The Finance Officer shall be the *ex-officio* Secretary of the Finance Committee.

Other Officers

20. The Manner of appointment and powers and duties of other officers of the University including the Dean of Students Welfare, Controller of Examinations and Chief Proctor shall be such as may be prescribed.

**Authorities of
the University**

21. The following shall be the authorities of the University :-

- (a) the Court;
- (b) the Executive Council;
- (c) the Academic Council;
- (d) the Finance Committee;

- (e) the Planning Board;
- (f) the Board of Faculties;
- (g) the Admissions Committee;
- (h) the Examinations Committee; and
- (i) such other authorities as may be declared by the Statutes to be the authorities of the University.

The Court

22. (1) The constitution of the Court and the term of office of its members shall be such as may be prescribed.

(2) Subject to the provisions of this Act the Court shall have the following powers and functions, namely:-

- (a) to review from time to time, the broad policies and programmes of the University and suggest measures for the working, improvement and development of the University;
- (b) to consider and pass resolutions on the Annual Report and Annual Accounts of the University and Audit Report of such accounts;
- (c) to advise the Chancellor in respect of any matter which may be referred to it for advice;
- (d) to perform such other functions as may be prescribed.

The Executive Council

23. (1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council, the term of office of its members and its powers and functions shall be such as may be prescribed.

The Academic Council

24. (1) The Academic Council shall be the principal academic body of the University and shall subject to the provisions of the Statutes and the Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and functions shall be such as may be prescribed.

The Finance Committee

25. (1) The Finance Committee shall be the principal financial body of the University to take care of the finance matters.

(2) The constitution, powers and functions of the Finance Committee shall be such as may be prescribed.

The Planning Board

26. (1) The Planning Board shall be the principal planning body of the University. The Board shall ensure that the infrastructure and academic support system meets the norms of the University Grants Commission or the respective Councils.

(2) The constitution of the Planning Board, term of office of its members and its powers and functions shall be such as may be prescribed.

Board of Faculty, Admission Committee, Examination Committee and other Authorities of the University

27. The constitution, powers and functions of the Board of Faculties, the Admission Committee, the Examination Committee and of such other authorities of the University which may be declared by the Statutes to be the authorities of the University shall be such as may be prescribed.

Power to make Statutes

28. (1) The Executive Council shall make the Statutes for carrying out purposes of this Act.

(2) Subject to the provisions of this Act the Statutes may provide for all or any of the following matters, namely: —

(a) the constitution, powers and functions of the authorities of the University;

(b) the appointment and continuance in office of the members of the said authorities, filling of vacancies of members and all other matters relating to those authorities for which it may be necessary to provide;

(c) the appointment, powers and duties of the officers of the University and their emoluments;

(d) the appointment of teachers of the University and other academic and administrative staff and their emoluments;

(e) the appointment of teachers and other academic and administrative staff working in the University or Institution for specific period for undertaking a joint project;

(f) the conditions of service of employees including provisions for retirement benefits, insurance and provident fund, the manner of termination of service and disciplinary actions;

(g) the principals governing seniority of service of employees;

(h) the procedure for settlement of disputes between employees or students and the University;

(i) the procedure for appeal to the Executive Council by any employee or students against the action of any officer or other authority of the University;

(j) the conferment of honorary degrees;

(k) the withdrawal of degree, diploma, certificate and other academic distinction;

(l) the institution of fellowships, scholarships, studentships, medals and prizes;

(m) the maintenance of discipline among the students;

(n) the establishment and abolition of Department, Centers and other constituted institutions / colleges etc;

(o) the delegation of powers vested in the authorities or officers of the University; and

(p) all other matters, which may in this Act are to be or may be prescribed.

(3) The Executive Council shall not make, amend or repeal any Statute affecting the powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(4) Notwithstanding anything contained in the foregoing subsections the Chancellor may direct the University to make provisions in the Statutes, in respect of any matter specified by him and if the Executive Council is unable to implement such a direction within sixty days of its receipt, the Chancellor may, after considering the reasons, if any, communicated by the Executive Council for its inability to comply with such direction, make or amend the Statutes accordingly as he may deem fit.

Power to make Ordinances

29. Subject to the provisions of this Act and the Statutes, the Ordinances shall be made by the Executive Council which may provide for all or any of the following matters, namely:—

(a) the admission of students to the University and their enrolment as such;

(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;

(c) the medium of instruction and examination;

(d) the award of degree, diploma, certificate and other academic distinction, the qualification for the same and the means to be taken relating to the granting and obtaining of the same;

(e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees, diplomas and certificates of the University;

(f) the conditions for the award of fellowships, scholarships, studentships, medals and prizes;

(g) the conduct of examinations, including the term of office and manner of appointment and the duties of examining bodies, examiners and moderators;

(h) the conditions of residence of the students of the University;

(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and prescribing of special courses of studies for them within the University;

(j) the appointment and emoluments of employees other than those for whom provision has been made in the Statutes;

(k) the establishment of Centre of Studies, Boards of Studies, interdisciplinary Studies, Special Centers, Specialized Laboratories and other Committees;

(l) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;

(m) the creation, composition and functions of any other body which is considered necessary for improving the academic mileage of the University;

(n) the remuneration to be paid to the examiners, moderators, invigilators and tabulators;

(o) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes.

Annual report

30. (1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or after such date as may be prescribed and the Court shall consider the report in its annual meeting.

(2) The Court shall submit the annual report to the Chancellor along with its comments, if any.

Annual accounts

31. (1) The annual accounts and balance sheet of the University shall be prepared under the directions of the Executive Council and shall, once at least every year and at intervals of not more than fifteen months, be audited by an experienced and qualified firm of Chartered Accountant of repute.

	<p>(2) A copy of the annual accounts, together with the audit report thereon, shall be submitted to the Court and the Chancellor along with the observations of the Executive Council.</p>
Conditions of service of employees	<p>32. (1) Every employee of the University shall be appointed / engaged as per provisions of the Statutes.</p> <p>(2) Any dispute arising between the University and any of the employees appointed substantively, shall be referred to the Executive Council who shall decide the dispute after affording an opportunity to the employee within three months from the date of its reference.</p> <p>(3) The aggrieved employee may file an appeal against the order of the Executive Council to the Chancellor.</p> <p>(4) Any dispute in respect of any employee engaged temporarily or on ad-hoc or part time or casual basis shall be heard and decided finally by the head of the concerned department.</p> <p>(5) Any person aggrieved by an order under sub-section (4) may prefer an appeal to the Vice-Chancellor. The decision of the Vice-Chancellor in such an appeal shall be final and no suit shall lie in any court in respect of the matters decided by the Vice-Chancellor.</p>
Right to appeal	<p>33. (1) Any student or candidate for an examination, whose name has been removed from the rolls of the University by the orders or resolution of the Academic Council, Proctorial Board or Controller of Examinations as the case may be, and who has been debarred from appearing at the examinations for more than one year, may within ten days of the date of receipt of such order or copy of such resolution by him in writing appeal to the Vice-Chancellor to reverse the decision of the aforesaid authorities or the concerned Committee, as the case may be.</p> <p>(2) Any decision taken by the Vice-Chancellor shall be final.</p>
Employees provident fund and pensions	<p>34. The University may constitute for the benefit of its employees such pension or welfare schemes or provident fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be decided by the Executive Council.</p>
Disputes as to the constitutions of Authorities and bodies	<p>35. If any question arises as to whether any person has been duly nominated or appointed as or is entitled to be a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.</p>
Constitution of Committee	<p>36. Where any authority of the University is given power under this Act or the Statutes to appoint Committees, such Committees shall as otherwise provided, consist of the members of the authority concerned and of such other persons as the authority in each case may think fit.</p>
Filling of the vacancies	<p>37. All vacancies among the members (other than ex-officio members) of any authority or other body of the University shall be filled as soon as may be convenient by the person or body who appointed, nominated or co-opted the members whose place has become vacant for the remaining term for which he has been appointed or co opted.</p>

Invalidity of proceeding

38. No act or proceedings of any authority of the University shall be invalid merely by reason of the existence of a vacancy or vacancies among its members.

Mode of proof of University records

39. A copy of any receipt, application, notice, proceeding, resolution of any authority or Committee of the University or other documents in possession of the University, if certified by the Registrar, shall be received as prima-facie evidence of such receipt, applications, notice, order, proceeding or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transaction therein where the original would, if produced, have been admissible in evidence.

Publication of Statutes and Ordinances

40. (1) Every Statute or Ordinance made under this Act shall be in writing.

(2) Each new Statute or Ordinance made under this Act shall be enforced as soon as it is made by the competent authority.

Permanent endowment fund

41. (1) The Society shall establish a permanent endowment fund of at least rupees ten crore.

(2) The University shall have the power to invest the permanent endowment fund in such manner as may be prescribed.

(3) The University may transfer any amount from the general fund or the development fund to the permanent endowment fund.

(4) Any amount exceeding the minimum amount specified in sub-section (1) may be withdrawn from the permanent endowment fund by the University for the purposes of development of the University.

General fund

42. (1) The University shall establish a general fund to which the following amount shall be credited, namely:-

- (a) all fees which may be charged by the University;
- (b) all sums received from any other source;
- (c) all contributions made by the Society; and
- (d) all contributions made in this behalf by any other person or body which are not prohibited by any law for the time being in force.

(2) The moneys credited to the general fund shall be applied to meet all the recurring expenditures of the University.

Development fund

43. (1) The University shall also establish a development fund to which the following money shall be credited, namely:—

- (a) development fees, which may be charged from students;
- (b) all sums received from other sources for the purpose of the development of the University;
- (c) all contributions made by the Society;
- (d) all contributions made in this behalf by any other person or body which are not prohibited by any law for the time being in force; and
- (e) all incomes received from the permanent endowment fund.

(2) The money credited to the development fund from time to time shall be utilized for the development of the University.

Maintenance of fund	44. The funds established under sections 41, 42 and 43 shall subject to general supervisions and control of the Court be regulated and maintained in such manner as may be prescribed.
Financial condition	45. The University shall not be eligible for any grant in aid or any, financial assistance from the State Government or any other body or Corporation owned and controlled by the State Government.
Fees	46. The fees charged for different academic programmes shall be in accordance with laws for the time being in force.
Power of State Government to call for information and records	47. (1) It shall be the duty of the University or any authority or officer of the University to furnish such information or records relating to the administration or finance and other affairs of the University as the State Government may call for. (2) The State Government, if it is of the view that there is a violation of this Act or the Statutes or Ordinances made thereunder may issue such directions to the University under section 51 as it may deem necessary.
Dissolution of University	48. (1) If the University proposes its dissolution in accordance with the law governing its constitutions or incorporation, it shall give at least six months written notice to the State Government. (2) On receipt of notice referred to in sub-section (1) the State Government shall make such arrangement for administration of the University from the date of dissolution of the University and until the last batch of students in regular courses of studies of the University complete their courses or studies in such manner as may be prescribed.
Expenditure of the University during dissolution	49. (1) The expenditure for administration of the University during the taking over the liabilities of the University under section 48 shall be met out of the permanent endowment fund, the general fund, and the development fund. (2) If the funds referred to in sub-section (1) are not sufficient to meet the expenditure of the University during the taking over the liabilities of the University, such expenditure may be met by disposing of the properties or assets of the University by the State Government.
De-recognition of the University by the State Government	50. (1) Where the State Government receives a complaint that the University is not functioning in accordance with the provisions of this Act, it shall require the University to show cause within such time, which shall not be less than two months referring a copy of the complaint as to why the University should not be derecognized. (2) If, upon receipt of the reply of the University to the notice given under sub-section (1), the State Government is satisfied that a prima-facie case of mismanagement or violation of the provisions of this Act in the functioning of the University is made out, it shall order such enquiry as it deems necessary. (3) For the purpose of an inquiry under sub-section (2), the State Government shall, by notification, appoint an officer or authority as the enquiring authority to enquire into the allegations of violation of the provisions of this Act. (4) Every inquiring authority appointed under sub-section (3) shall while performing its functions under this Act have all the powers of Civil Court under the Code of Civil Procedure, 1908 trying a suit and in particular in respect of the following matters, namely:-

- (a) summoning and enforcing the attendance of any witness and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) requisitioning any public record or copy thereof from any office;
- (d) receiving evidence on affidavits;
- (e) any other matter which may be prescribed.

(5) If, upon receipt of the inquiry report, the State Government is satisfied that the University has violated any provision of this Act, it shall direct the University to make necessary improvement and suggest for proper implementation of the provisions of this Act.

(6) If it is observed that the University is violating the Act continuously for three times the State Government may derecognize the University with prior approval of the University Grants Commission.

(7) During the period of the management of the University under sub-section (6), the State Government may utilize the permanent endowment fund, the general funds or the development fund for the purpose of the Management of the affairs of the University. If the funds of the University are not sufficient to meet the requisite expenditure of the University, the State Government may dispose of the assets or the properties of the University to meet the said expenses.

(8) Every notification under sub-section (6), shall be laid before both Houses of the State Legislature before implementation.

Power of the State Government to issue directions on policy matters

51. The State Government may issue such directions from time to time to University on policy matters not inconsistent with the provisions of this Act as it may deem necessary, such directions shall be complied with by the University.

Status of assets/ liabilities on dissolution/ de-recognition

52. All assets and properties including permanent endowment fund, general fund or any other fund and also the liabilities of the University will belong to the Society in case of dissolution of the University under any clause mentioned herein above.

Power to remove difficulties

53. (1) The State Government may for the purposes of removing any difficulty, particularly in relation to the transition from the provisions of the Uttar Pradesh State Universities Act, 1973 to the provisions of this Act, direct that the provisions of this Act shall during such period as may be specified in the order, have effect subject to such adaptations, whether by way of modification, addition or omission as it may deem necessary or expedient:

Provided that no such order shall be made after two years from the date of commencement of this Act.

(2) Every order made under sub-section (1) shall be laid before both Houses of the State Legislature as soon as may be after it is made.

(3) No order made under sub-section (1) shall be called in question in any Court on the ground that no difficulty as is referred to in that sub-section existed or was required to be removed.

STATEMENT OF OBJECTS AND REASONS

With a view to encouraging private sector to participate in the field of higher education, it has been decided to establish and incorporate a teaching University by the name of Axis University, Kanpur Nagar in Uttar Pradesh sponsored by Axis Educational Society, 117/N/88, Kakadeo, Kanpur registered under the Societies Registration Act, 1860 (Act no. 21 of 1860), so as to provide to the students and teachers the necessary atmosphere and facilities for the promotion of innovations in education leading to proper structuring of courses, new methods of teaching and learning and integral development of personality.

The Axis University Uttar Pradesh Bill, 2011 is introduced accordingly.
